IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 24TH SEPTEMBER 2007 / 2ND ASWINA 1929

WP(C).No. 28005 of 2007(H)

PETITIONER:

SMT. BABY.K., W/O P.V.MOHANAN,
PALAKKIL HOUSE, P.O.MANIKOTH,
KASARAGOD.

BY ADV. SRI.M.RAMESH CHANDER

RESPONDENTS:
----

1. **STATE OF KERALA, REPRESENTED BY JOINT SECRETARY TO CO-OPERATION, GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.**

2. **JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES(GENERAL), KASARAGOD.**

3. **KASARAGOD DISTRICT CO-OPERATIVE BANK LTD., KASARAGOD, REPRESENTED BY ITS GENERAL MANAGER.**

4. **V.RANJITH, KRISHNALAYAM, KARADUKKA P.O., KASARAGOD.**

5. **C.K.SASI, C.K.HOUSE, ARATTUKADAVU, P.O.BAKEL, KASARAGOD DIST.**

6. **S.SUNIL, S/O SUDHAKARAN, O.K.JACOB QUARTERS, CHETTUMKUZHI, P.O.KUDLU.**

R1 & R2 BY GOVERNMENT PLEADER (SMT. ANU SIVARAMAN)

R3 BY ADV. SHRI T.R. HARIKUMAR, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/09/2007 ALONG WITH W.P.(C). NO.28166/07 C, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 28005 OF 2007 H

&

W.P.(C). NO. 28166 OF 2007 C

Dated this the 24th September, 2007

JUDGMENT

In both these Writ Petitions, the order under challenge is the same. I feel that the petitioners have an appellate remedy under Section 83 of the Kerala Co-operative Societies Act. In such circumstances, I feel that the petitioners are to be relegated to the pursuit of the appellate remedy. Accordingly, the Writ Petitions are disposed of relegating the petitioners to pursue the remedy available under Section 83 of the Act within the time limit.

2. In W.P.(C) No.28005/07, the impugned order will be kept in abeyance as regards the petitioner therein is concerned for a period of two weeks from today. If Appeals are filed by the parties, the Appeals will be considered and disposed of in accordance with law, as expeditiously as possible and, at any

rate, within three months from the date on which they are filed. It is open to the petitioner in W.P.(C) No.28005/07 to move the Appellate Tribunal seeking interim orders.

K. M. JOSEPH, JUDGE

kbk.